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2011

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
CLINTON LANDFILL PUBLIC MEETING  
JUNE 9, 2011  
6:00 P.M.

IN RE: APPLICATION FOR APPROVAL FOR PCB DISPOSAL

TRANSCRIPT OF PROCEEDINGS held on Thursday, June 9, 2011, at the Clinton Community High School, 1200 State Route 54 W, Clinton, Illinois, before Lisa K. Hahn, CSR, RMR, scheduled for the hour of 6:00 p.m.

U.S. EPA MEMBERS PRESENT:

Margaret M. Guerriero, Division Director  
Land and Chemicals Division, U.S. EPA

Mike Harris, Deputy Division Director  
Land and Chemicals Division U.S. EPA

Tammy Moore, Acting RCRA/TSCA Programs Section Chief  
Land and Chemicals Division, U.S. EPA

Tony Martig, Toxics Section Chief  
Land and Chemicals Division, U.S. EPA

Tim Thurlow, Attorney  
Office of Regional Counsel, U.S. EPA

Denise Gawlinski, Moderator  
Office of the Regional Administrator, U.S. EPA

Mick Hans, Press Secretary  
Office of the Regional Administrator, U.S. EPA

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P R O C E E D I N G S

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MS. GUERRIERO: Good evening, everyone, and welcome to the U.S. EPA Public Meeting on the Clinton Landfill, the PCB Disposal Application.

We're going to wait a few more minutes because there's still people signing in, so I just wanted to let you know we will have the meeting started as quickly as possible. We're going to start in about five more minutes. And If you are here for the Relay for Life, you're in the wrong place.

(Brief adjournment.)

We're going to go ahead and get started, so take your seats. Before we get started, I want to let you know that I'm actually standing very close to the stage because our court reporter is having trouble hearing when I have my back to her, so I'm going to try and stay as close to being on the side of her and not in front of her, so if you're wondering why I'm standing at the stage, that's why.

So, welcome again, and thank you all for coming. My name is Margaret Guerriero. I am the Director of the Land Chemicals Division at the U. S. Environmental Protection Agency. Our headquarters is in Chicago, and



1 that's the Region 5 Office of the U. S. Environmental  
2 Protection Agency.

3 I want to thank you all for coming tonight, and I  
4 wanted to let you know that the purpose of our meeting  
5 tonight is primarily to hear from you. We're seeking your  
6 comments. We want to hear what you have to say about the  
7 application for proposed PCB disposal in the Clinton  
8 Landfill.

9 But before we get started, I want to thank the  
10 Clinton High School district for allowing us to use the  
11 high school. It's a really nice venue, and we really  
12 appreciate it, so thank you to the high school for  
13 allowing us to use the school.

14 I also wanted to let you know that we have a  
15 whole group of folks here this evening that I want to  
16 introduce to you. You're going to hear from some of them  
17 shortly in their presentation, and if you have an  
18 Agenda -- I know that we ran out of them for a few minutes  
19 and they have now refreshed them -- so if you need an  
20 Agenda or fact sheet, please feel free to go and get one  
21 off of the sign-in desk.

22 So I wanted to start out by introducing who we  
23 have here tonight. I have Mike Harris. Mike is the  
24 Deputy Division Director for the Land and Chemicals

1 Division. Mike, do you want to stand up?

2 Also with us from the Chicago office is Tammy  
3 Moore, who is our Section Chief for the RCRA and Toxic  
4 Programs Section, and she is in charge of permitting  
5 programs in the Chicago office.

6 Next, we have Tony Martig, and Tony is our Toxics  
7 Section Chief, and he is the chief who manages the toxics  
8 issues for the Region.

9 And, lastly, we have Tim Thurlow, and Tim Thurlow  
10 is an attorney from our Office of Regional Counsel.

11 Over here, we have Denise Gawlinski, and Denise  
12 will be the moderator tonight for the Public Comments  
13 section of the Agenda, and Denise is from the Office of  
14 our Regional Administrator.

15 And in the back we have Mick Hans, who is our  
16 Press Secretary for the office -- he's waving his hand  
17 back there -- in Chicago.

18 Okay. So I wanted to talk a little bit about  
19 what you can expect tonight. As I said, this is the  
20 Public Comments Meeting for this Application for Approval  
21 of PCB Disposal in the Clinton Landfill, and it really is  
22 for us to hear from you, so we are not going to do a lot  
23 of the talking tonight.

24 If you've got the agenda in front of you, you

1 will see that we have very short presentations. We're  
2 going to give you a quick overview of the landfill, and  
3 we're also going to give you a quick overview of the  
4 process that's entailed in the review of an application  
5 like this that's been submitted by the landfill, and then  
6 we're going to quickly open it up for comments from you.

7           So, I do ask that if you'd like to speak tonight,  
8 please feel free to do so. We do have a sign-in sheet for  
9 you to sign up for speaking tonight, and for those who  
10 sign up we have a number. We're going to call those  
11 numbers. Denise will go over it in a lot more detail once  
12 we get to that part of the agenda.

13           I also want to let you know that if you don't  
14 want to speak tonight, you can submit brief comments to us  
15 tonight; you can send us e-mails; you can send -- or you  
16 can actually by mail send us comments. There's lots of  
17 ways for you to submit your comments if you don't want to  
18 speak tonight.

19           I also want to mention that the comment period  
20 ends next Thursday, June 16th, so if you're going to send  
21 us something either by e-mail or through the mail, we need  
22 it to be postmarked by June 16th.

23           Okay. I want to make sure I cover all my notes.  
24 I think we're ready to begin, and the first speaker is

1 Tammy Moore, and she's going to talk with you about the  
2 overview of this landfill and the process.

3 MS. MOORE: All right. Actually, good evening  
4 everyone. My name is Tammy Moore, and I'm the Acting  
5 RCRA/TSCA Programs Section Chief, and I'm just going to  
6 give you guys a little bit of background on the Clinton  
7 Landfill and give you a little bit of the site history of  
8 the interaction with the EPA.

9 So, I'm just going to start out by saying, the  
10 Clinton Landfill -- the Clinton Landfill owns and operates  
11 several adjacent landfills along South Route 51, south of  
12 Clinton, in DeWitt County, Illinois. Clinton Landfill  
13 consists of a 157-acre landfill and currently operates  
14 under a RCRA Subtitle D permit, which was issued by the  
15 Illinois Environmental Protection Agency on June 22nd,  
16 2007.

17 So, the next slide that I have here is just  
18 pretty much showing areas of interest in Clinton,  
19 Illinois; first starting off with the actual Clinton Wells  
20 in the City of Clinton, the Weldon Springs, Salt Creek,  
21 and the actual landfill itself.

22 The next slide is just a terrain overview of the  
23 actual area where they are proposing to dispose of the  
24 PCBs in relationship to the City of Clinton, so I just

1 wanted you to be able to see it, if you guys haven't seen  
2 it from this side.

3           So, just to give a very brief background on the  
4 site history of the U.S. EPA, on October 19th, 2007,  
5 Clinton Landfill submitted a PCB Disposal application to  
6 the U.S. EPA to dispose of PCB remediation waste in a new  
7 proposed 22.5 acre cell. This cell that they're proposing  
8 to put it in is actually still a part of the 157 acres.

9           On October 21st, 2008, U.S. EPA issued a  
10 Preliminary of Notice of Deficiency on the application  
11 that they submitted to us.

12           On April 7, 2009, U.S. EPA held a public meeting  
13 here in Clinton, Illinois on the Disposal application.

14           On January 8, 2010, the Illinois Environmental  
15 Protection Agency approved a modification of the RCRA  
16 Subtitle D permit for Clinton to accept PCB waste.

17           On March 15, 2011, the U.S. EPA published a  
18 public notice on the Draft PCB Disposal Approval.

19           And, as of March 15th until June 15th, we will be  
20 accepting your comments; and, as a part of this process,  
21 we're having this public meeting here today.

22           So Tony Martig is going to go over the actual  
23 Clinton PCB Disposal application process.

24           MS. GUERRIERO: Could I ask you to please hold

1 the microphone closer?

2 MR. MARTIG: Yes, thank you, and if anyone else  
3 has a comment like that that you can't hear me, let me  
4 know. Can everyone hear me in the back?

5 A CITIZEN: You could be louder.

6 MR. MARTIG: Could be louder? Okay. Does this  
7 help at all?

8 Hi, my name is Tony Martig. I've worked with the  
9 EPA Region 5 Office in Chicago for about 20 years, and  
10 that entire time I've worked in the PCB program, and my  
11 primary responsibility there has been to review plans for  
12 the clean-up and disposal of PCBs.

13 What I'd like to do today is talk about the  
14 process that we use within the Agency for reviewing plans  
15 to dispose of PCBs.

16 I have an outline of this process that we follow  
17 up on the slides here, and I'm going to talk about each  
18 one of those individually briefly; but, as you can see,  
19 we're currently at the fifth step, and that is the public  
20 comments stage. It's the -- the mark is checked there,  
21 but it actually shouldn't be. So, we haven't completed  
22 that. We're right in the middle of the public comment  
23 period -- we're actually towards the end, so --

24 A CITIZEN: Louder.

1           MR. MARTIG: Thank you. We're still in the  
2 public comment period, so that's the step where we're at  
3 right now.

4           I would also like to mention that the public  
5 comment period, as you've heard, goes until June 15th; it  
6 concludes on the 16th. We will take the comments that we  
7 receive up until that time and we will review them. We  
8 haven't made a decision yet on the approval for the  
9 landfill. We haven't decided to go forward with it or  
10 not. We want to consider the comments that we receive  
11 before making any final decision, and that will take some  
12 time, depending on the type and the extent of the comments  
13 that we receive. So even though the comment period ends  
14 on June 15th, there won't be a decision right away with  
15 regards to the landfill.

16           One of first items that we review with regards to  
17 an application is the regulations. PCB has been regulated  
18 for about 30 years, and even after 30 years, there's two  
19 primary means of disposal for PCBs, and that is  
20 incineration or a landfill.

21           The PCB regulations, which are authorized under  
22 the Toxics Substance Control Act, or TSCA -- we might  
23 refer to it as TSCA (tosca) -- has specific regulations  
24 for landfills, and that's what I want to talk about right

1 now.

2           If any facility in the country feels that they  
3 meet those requirements, under the regulations they can  
4 send in an application for approval to the landfill for  
5 PCBs in that landfill, such as Clinton Landfill. They  
6 submit their application to us, and it's our  
7 responsibility to take a look at that application; and one  
8 of the ways we look at it is we compare it to the federal  
9 PCB regulations, and those regulations include several  
10 standards.

11           The first standard is on soil. The soil in the  
12 area of the landfill has to be relatively thick. It has  
13 to be relatively impermeable, too. That means it has to  
14 resist water flowing through it, and it has to be in an  
15 area that has a large clay pan.

16           If the area doesn't have those features, then  
17 what the facility can do is they can use a synthetic  
18 liner, or a plastic liner, and the regulations allow for  
19 that. They allow for the use of liners instead of using  
20 just soil and clay as a protective barrier at the base of  
21 the landfill.

22           The regulations also have requirements for  
23 hydrologic conditions, and those requirements are that the  
24 landfill has -- the base of the landfill has to be 50 feet



1 above the high water table, or the high groundwater table  
2 in that area.

3           The regulations also have requirements for flood  
4 protection, and those requirements are that the landfill  
5 set up a procedure, such as a berm, to divert any flood  
6 waters from contacting the landfill.

7           There's requirements in the regulations that the  
8 landfill be placed in an area that's relatively flat; in  
9 other words, not on a hill or a mountainside, and that's  
10 what topography means; that the landfill has to be in a  
11 relatively flat area.

12           The regulations also require that the landfill  
13 set up monitoring systems for groundwater and surface  
14 water and that those monitoring systems be operated on a  
15 regular basis. Even after the landfill is closed, some of  
16 those monitoring systems will continue to operate.

17           All landfills have to have a leachate collection  
18 system at the base of the landfill. The idea is to keep  
19 that landfill dry, then remove any liquids that are in the  
20 landfill that sort of percolate down the waste and collect  
21 at the bottom of the landfill and remove them from that  
22 landfill. That's what the leachate collection system is.  
23 It's series of drains at the bottom of the landfill which  
24 collect any liquids that move to the base of the landfill.

1 It could be rain water, for instance, that is percolated  
2 through the landfill to the base. It's collected in the  
3 leachate collection system, and it's removed and it's  
4 disposed of.

5           The regulations also have specific requirements  
6 for operating the landfill, and that includes looking at  
7 the type of waste that goes into the landfill. They just  
8 can't take anything. There's limitations on the type of  
9 waste that can go into the landfill and where it can be  
10 placed in the landfill. You don't want to place waste in  
11 the landfill that could damage the liner or any of the  
12 drainage system that's in the landfill.

13           But, in addition to that, there are other  
14 regulations that I didn't put on the slide that affect the  
15 landfill. For instance, there's regulations on the  
16 facilities. For instance, the landfill is required to  
17 maintain proper roadways around the landfill for traffic  
18 to and from the landfill.

19           In addition, the landfill has to protect -- try  
20 and reduce or prevent any type of release of PCBs, which  
21 primarily are going to be included in a dust particle or  
22 soil particle from the landfill; so it's -- in other  
23 words, it's supposed to try and prevent any wind blown  
24 PCBs from being blown from the landfill into the outside

1 areas.

2 In addition, the regulations allowed the agency  
3 to require and request any additional information that's  
4 not specified in the regulations, and we did this in the  
5 case of Clinton Landfill. We required them to submit a  
6 lot more information on the usage of water in the Clinton  
7 area than is specified or allowed for in the regulations.

8 These regulations are in the draft approval. If  
9 you've had an opportunity to read that, there's a section  
10 in approval called the Findings, and that section goes  
11 through each of these regulations, and it identifies  
12 our -- what we determine with regards to those  
13 regulations. So, if you haven't read that section of the  
14 approval yet, I recommend that you do, and if you have any  
15 comments on that, you still have time to submit comments  
16 on the Findings section of that draft approval.

17 But we don't stop just at looking at the Federal  
18 PCB regulations; we look at other regulations that can  
19 affect a landfill as well.

20 In this case, we looked at the Resource  
21 Conservation Recovery Act program, and that's basically  
22 the hazardous waste and solid waste program. We talk to  
23 them about what are their requirements for landfills, and  
24 we compare the landfill requirements under the PCB

1 regulations to those under the hazardous waste  
2 regulations.

3           We also talked to our water program, who  
4 authorizes the program on the Clean Water Act, and we  
5 talked to them about were there any issues that they had  
6 with regards to operation of the landfill that's  
7 accepting -- that could accept PCB waste in that area with  
8 regards to protecting water. That would be the program  
9 that would know best how to address those type of issues.

10           We talked with the air program from our Regional  
11 Office. Did they have any issues with regards to releases  
12 of air from that landfill.

13           In addition, we've looked into other issues with  
14 regards to landfills that aren't necessarily covered by  
15 regulations but are covered by our guidance and, policies,  
16 and that is environmental justice. We looked to see if  
17 there were any environmental justice issues with regards  
18 to the location of the Clinton Landfill. We conducted a  
19 ranking and a comparative study on that matter, the  
20 environmental justice.

21           We also looked at if there was any environment --  
22 I'm sorry -- if there were any endangered species that  
23 would be affected by operation of the landfill.

24           Beyond the regulations and guidelines, we also

1 went beyond that. We conducted a literature review. On  
2 our own, our geologist looked for any type of information  
3 or documentation that was written by a trade professional  
4 or another type of professional on features with regards  
5 to the landfill. They looked into the soil issue, any  
6 type of water data that we compared what Clinton Landfill  
7 submitted in their application with regard to the type of  
8 liner they were using. We looked up the manufacturing  
9 specifications on that liner and on the draining system  
10 that they designed. We double checked that within our  
11 literature review.

12 We compiled our conclusions on that literature  
13 review and made that available as part of the  
14 administrative record. That is also open for comment  
15 during this comment period.

16 Now, going beyond outside of the federal  
17 regulations, we coordinated with others. We worked and  
18 coordinated with the Illinois Environmental Protection  
19 Agency. We talked to them about their waste management  
20 procedures, their groundwater monitoring data, and their  
21 waste management procedures within the landfill, how they  
22 would be looking at managing waste within the landfill.

23 We also talked and coordinated with the Illinois  
24 Geological Survey. We wanted to make sure that we had all

1 the information that they had or -- and they were able to  
2 consider that information that we had with regards to  
3 geological issues or geological features with regards to  
4 the landfill.

5 We also talked to local authorities such as the  
6 DeWitt County and Mahomet Aquifer consortium. It wasn't  
7 necessarily in coordination with them. We conferred with  
8 them about what we received, the application, and about  
9 some of the issues that were being raised.

10 And then we also had a public involvement period,  
11 which we started at least in April of 2009 where Tammy  
12 mentioned we had a meeting in the Clinton area with  
13 regards to the receipt of the application where we're at  
14 in regards to review and took some of the type of issues  
15 and information we were considering.

16 But, in addition to that meeting, we have made  
17 ourselves open to the community members, to  
18 representatives of the Congressional offices, and to the  
19 media to try and answer any questions that we've received  
20 throughout our review process, and we will continue to do  
21 that through this public comment period.

22 We also, as part of our public involvement,  
23 established a website over a year ago that contained the  
24 application and the beginnings of our administrative

1 record. That information was made available to the  
2 public, so people could start to review that information  
3 to educate them on what we were looking at and what type  
4 of issues that might be affecting people with regards to  
5 the landfill.

6           After considering all the information that we had  
7 at that time and looking at the regulations and the  
8 different programs, everything that I just talked about,  
9 at this point we've determined that to do so, this PCB  
10 cell appears to meet the technical requirements for proper  
11 PCB disposal.

12           With that, the next step for us was to draft an  
13 approval -- not to finalize an approval; to draft approval  
14 to make it available for public comment, which is a very  
15 important part of our overall process, and what I want to  
16 do now is talk a little bit about that draft approval and  
17 touch on some of the key conditions of it.

18           The draft approval also has a Background section  
19 and a Definitions section, so those are also available for  
20 comments. If you have any comments on those, you can  
21 comment on that as well, and as I mentioned earlier, it  
22 has a Findings section, which I think you might find very  
23 interesting and you might want to look at that comment as  
24 well.

1 But, in terms of the conditions of the approval,  
2 I want to talk about several of them.

3 The landfills, the conditions of approval start  
4 off with the scope of work and, basically, what that is,  
5 it's limiting the amount of PCB waste that can go into the  
6 landfill. This landfill is not -- if it is approved, it  
7 would not be open indefinitely. There's a limited time  
8 period, a limited amount of waste that would be able to go  
9 into the landfill. It also describes what type of waste  
10 can go into the landfill.

11 The majority of this waste is solid material.  
12 It's going to be material that's been affected by a spill  
13 of PCBs, so a spill of PCBs from a transformer, for  
14 instance, went into soils or into concrete. It's that  
15 soil or concrete that would likely go into the landfill.

16 There could be some sediment that might be  
17 proposed to go into the landfill, too, and we've also  
18 addressed that under the scope of work where they may want  
19 to solidify the sediments to make sure that it's solid  
20 enough to go into the landfill to eliminate the waters  
21 that are in the sediments, and we have a -- in our scope  
22 of work, we've identified that any solidification that is  
23 done at the landfill has to be done in a way where it does  
24 not release any PCBs into the environment. So, we want



1 the PCBs to stay with that material and not be released to  
2 the air or to the environment where it can be moved off  
3 site.

4 We also have conditions on construction, which is  
5 basically a requirement that they use a triple liner  
6 system, three synthetic liners at the base of the  
7 landfill, and in that base that they use a very specific  
8 leachate collection system. That is covered under the  
9 Construction section of our approval.

10 We have a condition on the operation of the  
11 landfill, which is dealing mainly with waste substance and  
12 placement in the landfill. They have very -- there is a  
13 limited amount of -- type of waste that can go into the  
14 landfill. They have to know what that waste is before it  
15 gets on the truck to go to the landfill. There's nothing  
16 that should show up at the landfill that they should not  
17 be aware of; but when it does show up, they have to  
18 inspect it; they have to compare it with what they were  
19 intended -- what it was intended to be sent; and they have  
20 to make a record of what they actually received for every  
21 shipment of material that comes to the landfill.

22 They also have to make sure that that waste is  
23 compatible with other materials that are in the landfill  
24 and the liner; that what they put in there isn't going to

1 damage the drainage system or damage the liner. They have  
2 to do that before they put material in the landfill.

3           There is a requirement that they not only install  
4 the leachate collection system, but that they have ongoing  
5 and regular monitoring; that they have at least monthly  
6 monitoring of that leachate collection system. This is  
7 the drainage system at the base of the landfill. They  
8 monitor it, and then they remove the water or leachate  
9 from that on a regular basis.

10           There's also requirements that they sample  
11 surface water. This will be like a basin that is used to  
12 collect rain runoff water. They have to sample that water  
13 to see if there's any PCBs in there that may have been  
14 tracked off site.

15           And when they get these results with PCBs -- and  
16 I'll talk to you about that later -- they have to share it  
17 with us, and that will be an indication as to how things  
18 are operating at the landfill.

19           There's a requirement that they have ongoing and  
20 regular groundwater monitoring at various levels below the  
21 landfill -- the shallow level to the deep level and the  
22 mid level as well. They have to do this monitoring on a  
23 regular basis every year. They have to do it  
24 semi-annually.

1           The landfill had seven wells with this approval  
2 process. They've increased that by 13. They now have 20  
3 wells that they'll be using to analyze the groundwater  
4 in and around -- well, around the landfill to see if  
5 there's any type of issue that might be coming from the  
6 landfill.

7           There's also a requirement that they sample  
8 surface soils around the landfill. If there's a spill,  
9 or, for instance, if they were regularly supposed to  
10 sample that drainage basin, and it's dry, that doesn't  
11 mean they get a pass. They have to sample that, like they  
12 would be sampling the soils instead.

13           There's a requirement in our draft approval that  
14 they monitor the air around the landfill. There's four  
15 monitoring sites around the landfill that they have to  
16 monitor three times a year, and they just can't monitor at  
17 any time. For instance, you wouldn't want to monitor air  
18 when it's raining. We require them to monitor at a time  
19 when -- it would be like a worst-case situation, possibly  
20 a day like today when it's hot and humid and there might  
21 be volatilization. That's when we want for them to  
22 monitor. That's the type of data we want to see.

23           There's a requirement from the landfill that they  
24 maintain records of everything that they've received and

1 all the sampling data that they have and any incidents  
2 that they have. They have to maintain these records even  
3 after the landfill closes. They have to keep the records  
4 for 20 years, and then they have to submit a summary  
5 report to us on a semiannual basis, so we'll see the data  
6 and be able to identify if there's any issues that arise.

7           They have to submit a notice if there's any event  
8 of release of PCBs or other material. They have to notify  
9 us immediately so that we can take corrective actions and  
10 work with them to take corrective action.

11           And there's a condition of draft approval  
12 identified in the Safety and Health, but it's actually --  
13 what it more specifically is, it's a condition that is  
14 identified to -- that requires them to prevent odors from  
15 being noticeable off site. So there's even included a  
16 condition dealing with odors in this draft approval.

17           There's a requirement that after they're done  
18 putting PCB waste in the landfill, they have to cap it  
19 with a synthetic cap. They're basically putting a cover  
20 or seal on that landfill. That's required under the  
21 approval, and they have to continue to monitor that  
22 landfill. Even after it's capped and closed, they have to  
23 continue to collect groundwater monitoring and the  
24 leachate. We don't remove the leachate from the landfill

1 until it's completely dry.

2           They have to the set up financial assurance to  
3 continue that monitoring and continue that leachate  
4 collection. That financial assurance is indefinite, so  
5 it's permanent; it's forever, basically.

6           We've included a condition in there we identified  
7 as a community right-to-know, and that basically is they  
8 have to work with local community authorities on what type  
9 of information that they want to have. So not only does  
10 the landfill have to submit information to the EPA  
11 semiannually; they have to submit information to the  
12 community, based on what the community wants. This would  
13 be someone like DeWitt County, whatever information they  
14 would want, the landfill would have to work with them to  
15 do that.

16           And then on top of that, we've included a  
17 condition approval on Suspension and Revocation, where if  
18 something goes wrong, we can suspend or revoke that  
19 approval.

20           So that brings us to the public -- where we're at  
21 right now. We're right in the public comment period, and  
22 I just went through the approval process and what some of  
23 the main points that are in approval itself.

24           The public comment period is open March 15th and

1 it runs through June 15th. As Margaret said earlier, the  
2 comments would have to be postmarked by June 15th, and as  
3 I mentioned earlier myself, just because the comment  
4 period closes doesn't mean we're going to be making the  
5 decision the next day. It's going to take time to review  
6 all the comments and additional information that we  
7 receive, and we may have to do some additional research  
8 before making any final decision.

9 We are very interested in your comments, so I  
10 hope you take advantage of today, as well as the next  
11 week, to prepare your comments.

12 One thing that might help you with preparing  
13 comments is our administrative record. We've made that  
14 available on the internet. The address for this is on the  
15 fact sheet. On the right-hand side of the fact sheet we  
16 have information on where the administrative record is.  
17 There's also a hard copy of the administrative record at  
18 the Clinton Public Library.

19 And the last thing I want to mention is if  
20 Margaret -- just repeat what Margaret said -- if you have  
21 some comments and are unable to make them today, you  
22 should send the comments to Rafael Gonzalez. His mailing  
23 information and fax number are on the slide here but, in  
24 addition, the fact sheet has his information, including

1 his e-mail address, as well as a website where you might  
2 be able to stream comments directly to that website as  
3 well.

4 So thank you for your attention.

5 MS. GUERRIERO: Great. Thanks, Tony.

6 MS. GAWLINSKI: Okay. Well, we'll now begin the  
7 public comment period portion of the meeting. As Margaret  
8 said earlier, this is really your opportunity to share  
9 your thoughts and comments on the draft TSCA approval with  
10 us. We're here to listen. Our goal is to give everyone  
11 who wants it an opportunity to speak.

12 We will respond to all your comments and your  
13 questions that we receive this evening, along with those  
14 we get in writing by June 15th in a document called the  
15 Responsiveness Summary or Response to Comments, and that  
16 will be issued when we make our final decision.

17 So, at this point, it looks like 31 people would  
18 like to make a public comment this evening. Because we  
19 want to give everybody a chance to speak, we're going to  
20 limit each speaker to three minutes, so you can do the  
21 math. It will take about an hour and a half to give  
22 everyone an opportunity to say something.

23 If you haven't signed up to speak and you would  
24 like to, it's not too late. Please see Karen at the desk

1 in the back and she'll issue you a number.

2 So, at this point I'll call people to the  
3 microphone in the center aisle. I'll call you up by  
4 three, so at this point those people with numbers 1, 2 and  
5 3, if you can come up to the microphone and get ready to  
6 speak.

7 Before you begin, I'd like to ask that you  
8 clearly state and spell your name, and this is to ensure  
9 our court reporter accurately attributes your comments to  
10 you.

11 And are there any comments on how this will work  
12 on this comment period portion?

13 Okay. With that, we'll turn it over to Mike.

14 MR. MAHER: Hi. My name is Mike Maher,  
15 M-A-H-E-R.

16 Ladies and gentleman of the U.S. EPA, thank you  
17 for the opportunity to speak. Thank you to -- I'm here on  
18 behalf of the Mahomet Valley Water Authority. I'd like to  
19 thank the Authority trustees, Mr. Doug Graves, Mr. Bob  
20 Lieb, and Mr. Randy Toohill, who could not be here today.  
21 I'd like to thank them for their perseverance and their  
22 courage in the face of threats, intimidation, and even  
23 litigation by the Clinton Landfill that sued the Mahomet  
24 Valley Water Authority to prevent the Authority from being



1 present here today and reviewing the application. It's  
2 only after the Appellate Court put an end to the  
3 foolishness and said the Mahomet Valley Water Authority is  
4 a public entity charged with protecting drinking water  
5 that the shenanigans ended.

6 We are here. We took a look at this application,  
7 and as you'll hear from Mr. Pyles in a few moments, we  
8 have some significant concerns about the application.

9 In particular, as Mr. Martig pointed out a minute  
10 ago, one of the most important regulations that U.S. EPA  
11 has promulgated regarding a PCB landfill is the  
12 requirement that the landfill be more than 50 feet above  
13 the water table. That is not the case here.

14 If you look at the applicant's own Appendix E.6,  
15 it is clear that there are 16 places in this proposed  
16 landfill where it will not satisfy the 50-foot setback  
17 requirements set forth in the U.S. EPA regulations.  
18 Moreover, their own information indicates that there are  
19 four places where this landfill will actually sit in the  
20 water table. That's a clear violation of the EPA's  
21 requirements, and here's a copy of it. We took the  
22 liberty of making an oversized copy so folks can see it,  
23 but if you want copies of it, we actually have copies of  
24 the regulations themselves.

1           Now, there has been no application -- strike  
2 that. There has been no request for waiver by this permit  
3 applicant regarding the 50-foot setback requirement;  
4 therefore, the application has failed on its face.

5           We request that the U.S. EPA reject this  
6 application and deny the permit.

7           And one last thing: A few years ago, these  
8 people who are applying for this permit attended a public  
9 meeting and promised there would not be hazardous waste  
10 and there would not be PCBs in their landfill, if only  
11 they could get a permit from EPA to get the landfill  
12 approved.

13           We find ourselves here only a few years later in  
14 a classic bait and switch situation, where having once  
15 gotten their approval to operate an admissible landfill,  
16 now they want to dispose of hazardous waste and PCB waste.

17           The people of this county, the people of this  
18 community, know a bait and switch when they see it. They  
19 want you to be aware of it. The Mahomet Valley Water  
20 Authority has expended these people's resources, and it is  
21 committed to making sure that this application, and,  
22 frankly, and you folks, you ladies and gentlemen of the  
23 U.S. EPA, comply with all of the requirements. We'll be  
24 watching them; we'll be watching you.

1           Thank you very much. We move that you reject  
2 this landfill, deny the application, and tell them no.  
3 Thank you.

4                   (Applause.)

5           MR. PYLES: My name is David Pyles, P-Y-L-E-S. I  
6 am an Illinois Licensed Professional Geologist, and I work  
7 for the firm of [REDACTED]. It's an  
8 environmental engineering firm, and our project to you  
9 included Charles Norris and others. We've requested to  
10 review the Clinton Landfill permit application and like  
11 comments to that.

12           They claim that there's 150 feet of clay present  
13 that will be protective of the aquifer, but if you review  
14 it, their own data confirms the presence of sand, silt and  
15 peat. Their own data confirms that there's not 150 feet  
16 of clay there. This is important because we know that the  
17 groundwater inside the landfill is connected to the  
18 groundwater outside the landfill. We know this because  
19 when they turn off the pumps, the groundwater levels  
20 outside the landfill increase. We know this observation  
21 confirms communication or a hydraulic connection between  
22 the two. We know that what this means is that when they  
23 turn off those pumps after this landfill is filled, which  
24 they plan to do, whatever goes in can get out.

1           We know that when we did the characterization of  
2 the site, they used a weak model. They used a residential  
3 model that is suitable for a solid waste landfill,  
4 something that could take residential garbage or perhaps  
5 grass clippings -- certainly not hazardous waste. They  
6 manipulated data to achieve preconceived notions. They  
7 used the right model; they just used the correct and  
8 appropriate data.

9           Finally, they claim that the PCBs stick to the  
10 clay, and they say, "Don't worry about it." Perhaps this  
11 is correct in the laboratory, but this is the real world  
12 with real people and real conditions.

13           Here we have leachate in the landfill -- not  
14 water; leachate -- which acts as a solid; and when it acts  
15 as a solid, it prevents the ability of the PCBs to stick  
16 to the clay.

17           We already know that the claim of 150 feet of  
18 clay is false; and we also know that this landfill will be  
19 sitting upon the regional groundwater. This is an  
20 irreplaceable resource. Why would we take this risk?

21                       (Applause.)

22           Our comments -- these comments we've prepared and  
23 submitted within the comment period, and I thank you for  
24 your attention.

1 (Applause.)

2 MS. GAWLINSKI: Thank you, David.

3 John, before you get started, I'd like to ask  
4 those with numbers 4 and 5 to get ready to speak.

5 MR. ARRANZ: Thank you very much. Good evening.  
6 My name is John Arranz, A-R-R-A-N-Z. I also have the  
7 privilege of representing the Mahomet Valley Water  
8 Authority.

9 On July 22nd, 2010, KPRG submitted a recitation  
10 of concerns to U.S. EPA related to this hazardous waste  
11 landfill. Now, this submission was founded in science.  
12 On December 2nd, 2010, Shaw Environmental, the consultants  
13 for Clinton Landfill, submitted an angry, smothering  
14 response.

15 Now, the Illinois Appellate Court has already  
16 criticized the Clinton Landfill for their tactics related  
17 to this hazardous waste landfill, and it's these tactics  
18 that were utilized by Shaw in their December of 2010  
19 response.

20 Now, in the coming days, you will be receiving  
21 and additional submission from KPRG that again is founded  
22 in science and not name calling.

23 I represent the Mahomet Valley Water Authority,  
24 and as individuals and on behalf of their community, they

1 are very concerned about this.

2 Now, we all know all engineering has problems.

3 If we look at Fukushima in Japan, if we look at the  
4 Horizon oil rig, and if we look at the levees in New  
5 Orleans, they all have problems.

6 What we are asking you to do is to scrutinize the  
7 failures of the Clinton Landfill for the benefit of the  
8 hundreds of people here and thousands of people that will  
9 be affected. Thank you.

10 (Applause.)

11 MS. HOYT-THOMPSON: I'm Mary Hoyt-Thompson,  
12 H-O-Y-T, T-H-O-M-P-S-O-N. I do not want that in our  
13 county. They can tell us all the things they're doing to  
14 protect us, but what if we had an earthquake or another  
15 natural disaster? What would that do to us? Thank you.

16 (Applause.)

17 MS. GAWLINSKI: Thank you, Margaret.

18 I'd like to ask those with numbers 6 and 7 to  
19 please come up and speak. And just a reminder to clearly  
20 state and spell your name for the court reporter. Thank  
21 you.

22 MR. SAVAGE: My name is Ron Savage, S-A-V-A-G-E.  
23 I'm a trucking company located in [REDACTED]. We  
24 haul food product for major manufacturers in Decatur and

1 Chicago and other places. We haul this to all parts of  
2 the United States.

3 One of the requirements of the food industry is  
4 we are a kosher company, regulated by the CRC of Chicago.  
5 They tell us how we have to wash our tankers and how they  
6 have to be cleaned and regulated. We do this. We've been  
7 this way for almost 42 years now.

8 Now, the main thing we're concerned about, we're  
9 all worried about our water, and I am especially, too;  
10 especially when it comes down to washing our tanks the way  
11 we have to wash them; haul food grain products, both  
12 liquid and dry. We haul starch, flour, clear syrup;  
13 anything that involves those bulk tankers.

14 I have a big concern with this because we not  
15 only contaminate our water here for the people that drink  
16 this, all the way from Champaign to Lincoln, but in the  
17 same area, I could contaminate our tankers onto other  
18 places in the United States.

19 And we all know Murphy's law -- what sometimes  
20 can go wrong will go wrong -- and I think everybody feels  
21 that way here tonight. Thank you very much.

22 (Applause.)

23 MR. WILSON: My name is Charles Wilson. I reside  
24 at [REDACTED] [REDACTED] I just have a few

1 comments.

2 I question the wells as being a protector. By  
3 the time it shows up at the wells, how do we not know that  
4 it's already contaminated the soil around it. I have a  
5 real problem with that.

6 I also have a question. You're asking us to put  
7 poison in the water later on. We don't know if it's going  
8 to be poison, or what we're going to get. I would ask  
9 these people here, all of you, if they would put cyanide,  
10 a small drop, a little amount of it, and then start  
11 drinking it over 20 years.

12 Two more comments: How many of these disposal  
13 sites do we have in Illinois? How many? I don't know how  
14 many. I'm asking the question. I do know, as I sit here  
15 and listen, that most of these people represent the EPA  
16 out of the Chicago area. Now, I know we're going to be  
17 receiving a lot of that waste out of the Chicago area.  
18 That bothers me, also.

19 Remember the P -- and I ask you to remember  
20 this -- EPA? The P is for protection. I ask you people  
21 sitting in front of me not to issue that permit, and  
22 remember that P is for protection of the people  
23 represented in the county. Thank you.

24 (Applause.)



1 MS. GAWLINSKI: Thank you, Charles. And are you  
2 Buck?

3 MR. CARTER: I'm Buck Carter.

4 MS. GAWLINSKI: Before you get started, Buck,  
5 would those with numbers 10 and 11, Jake and Ron, please  
6 get ready to speak? Thank you.

7 MR. CARTER: Thank you. My name is Buck Carter.  
8 I'm a Licensed Illinois State Water Operator. I'm the  
9 operator for the [REDACTED]  
10 [REDACTED].

11 Fortunately, the EPA requires us to test our  
12 water twice a month from about 37 different containers.  
13 What bothers me is my water comes from the 105 foot level.  
14 The aquifer, which is underneath the landfill, is the main  
15 feeder. Now, they are already at my water level. I'm  
16 four miles from them, and I've started to see their  
17 contamination already. What about these people that are  
18 within a five-mile radius on the farms and the suburbs  
19 that have these shallow wells?

20 The questions that come to my mind is when this  
21 contamination shows up -- and it will show up sooner or  
22 later; nothing is full proof -- is that the EPA will say,  
23 Okay, now it's in your well systems. You've got to take  
24 it out before we can drain it. There's no way to take it

1 out. There's no known way to remove it.

2 So, on behalf of the West Side Mobile Home Park  
3 and myself and the other citizens of this town, I ask you  
4 to please deny this permit.

5 (Applause.)

6 MR. LIEB: Jake Lieb, L-I-E-B.

7 I'm a fifth generation farmer from a neighboring  
8 county. Continuing my family legacy and performing has  
9 been made possible by future, or excuse me, former  
10 generations protecting our topsoil and taking the steps to  
11 ensure that we will have it. Without the foresight of  
12 protecting our topsoil, I'd have nothing.

13 According to the Clinton Landfill, the protection  
14 is going to consist of three layers of plastic. That's  
15 unacceptable. The protection is now designed to last 100  
16 years. In the best case scenario, then what? Cross our  
17 fingers and hope for the best? What about future  
18 generations? What if our forefathers had zero foresight  
19 to see what's coming ahead for us?

20 750,000 people drink out of the aquifer. That  
21 may not sound like a lot to folks from Chicago, but for us  
22 in Central Illinois, that's a lot -- stretching from  
23 basically western Illinois to the east side.

24 If we don't stop this somewhere, somewhere down

1 the line, we're going to feel the repercussions from this.  
2 People are going to be sick physically and mentally  
3 because people of our generation were either greedy or had  
4 no foresight and allowed this to happen.

5           Many local municipalities and counties have  
6 passed resolutions in opposition to this proposed  
7 landfill. They realize that the consequences far outweigh  
8 any benefit -- which the only benefit at all is to DeWitt  
9 County in the form of tax dollars. Apparently, the DeWitt  
10 County Board doesn't have the backbone to take a position  
11 on this issue, (applause) even though in two referendums,  
12 over 70 percent of their constituents have voted against  
13 it.

14           Apparently, the Illinois EPA has approved the  
15 landfill because it fits the requirements. They obviously  
16 forgot to look at the variables involved, the main one  
17 being it's over a major water source.

18           I ask the U.S. EPA to look at this as a unique  
19 scenario, not just on paper, that it meets the  
20 requirements. We can't allow this to happen. Let's use  
21 some common sense here and do the right thing. You can't  
22 legislate intelligence, foresight or common sense into  
23 people; however, I hope that you folks at the U.S. EPA do  
24 have some foresight and common sense. The time to fix the

1 roof is when the sun is shining; don't wait until it  
2 rains. Thank you.

3 (Applause.)

4 MS. GAWLINSKI: Thanks, Jake.

5 Will those with numbers 12 and 13, Susan and  
6 Steve, please get ready to speak?

7 MR. MARTIN: Ron Martin, M-A-R-T-I-N, and I --

8 MS. GAWLINSKI: Will you repeat that, and please  
9 speak up?

10 MR. MARTIN: I'm Ron Martin, M-A-R-T-I-N. I am a  
11 retired Maintenance Engineer [REDACTED]

12 [REDACTED]. Part of my duties there was to maintain  
13 the substation, which consisted of PCB transformers,  
14 13,200 volts down to 480.

15 These transformers were submerged in Pyronil,  
16 which is a PCB product, encased in sealed casing, setting  
17 on the mezzanine above the floor, with this sealed casing  
18 protected with fire protection, a sprinkler system, and  
19 curbs around the floor to protect the leak, and General  
20 Electric Company, who manufactured the transformers and  
21 the PCB products, thought it was necessary to spend a full  
22 million dollars to dispose of those, which I got heavily  
23 involved in removing those transformers, replacing them,  
24 and this all had to be done without shutting the factory

1 down.

2           So I must question the wisdom of taking these  
3 products out of the sealed casing, protected from  
4 everything, and putting them in the ground. It just  
5 doesn't make sense to me.

6           Thank you very much.

7           (Applause.)

8           MS. LOCHBAUM: My name is Susan Lochbaum,  
9 L-O-C-H-B-A-U-M. I thank you for being here this evening.  
10           I'm a resident of [REDACTED], and I drink from  
11 the Mahomet Aquifer, as do all these people here. I've  
12 attended several meetings on the subject, and I've been  
13 saddened by the DeWitt County Board's lack of respect for  
14 the wishes of the constituents who are opposed to having  
15 PCB waste in the Clinton Landfill on two separate  
16 occasions.

17           I've written letters to the EPA to express my  
18 opposition to the toxic waste being dumped at Clinton.  
19 I've heard the landfill attorney remind the County Board  
20 that the landfill received from them one million dollars a  
21 year.

22           I am told that natural disasters will almost  
23 never cause a problem with power plants, and now with  
24 landfills, but we know that they do. We can only look to

1 Japan. They come when we least expect them, and they  
2 devastate the people, the land, the agriculture, the  
3 economy, and the country.

4 So, I appeal to you, the representatives of the  
5 U.S. EPA, to put a stop to PCB waste coming to the Clinton  
6 Landfill.

7 The DeWitt County Board has already decided to  
8 sell off their citizens, if you will, for 20 pieces of  
9 silver.

10 (Applause.)

11 We rely on you, your knowledge, your expertise,  
12 and your good judgment to protect our vital source of  
13 water. Thank you.

14 (Applause.)

15 MS. GAWLINSKI: Thanks, Susan. We'll go to  
16 numbers 14 and 15, that's Bill and Donald. Please get  
17 ready to speak.

18 MR. BRIDGES: My name is Steve Bridges. My  
19 ancestors settled this county in 1850. My children go to  
20 schools in these very buildings, and I'd like to comment  
21 on the risks, the real risks of PCB dust migration from  
22 the proposed chemical waste landfill.

23 As I understand it, a lot of this PCB waste will  
24 be utilized soils from remediation sites. Now, these same

1 remediation sites have regulations placing limits on  
2 moving this soil when they're elevated by conditions and  
3 when threatening weather is in the area, but I find no  
4 such restrictions listed in the plans of this proposed  
5 waste landfill.

6           The Environmental Technology Council and Industry  
7 Trade Association of companies that recycle, treat and  
8 dispose of industrial waste in a recent letter stated that  
9 they had serious concerns about whether the Clinton  
10 Landfill is an appropriate facility for PCB disposal. One  
11 of the best management practices that they listed was  
12 curtailing waste disposal in high wind conditions. These  
13 are not my words; these are the industry experts.

14           The operating plan and the ambient air monitoring  
15 only requires testing to be done three times a year at the  
16 choosing of the landfill, and if they pass -- that's only  
17 the first year -- and if they pass those three days a  
18 year, then they only have to do it once a year -- once a  
19 year.

20           The location of the site in relation to our  
21 public schools gives me great concern. The junior high  
22 and high school are within two miles downwind of this  
23 landfill, and a new grade school is being proposed across  
24 the street. With the winds in this area predominantly

1 from the south, from the direction of the landfill -- and  
2 they're awfully strong, as anyone who lives in this area  
3 can attest -- any PCB dust or multi-PCBs could have the  
4 potential to leave the site and travel to these school  
5 sites. Even with small PCB releases, due to the  
6 resistance of the PCBs to break down, they could build up  
7 over the 20 to 30 years anticipated to fill this landfill.  
8 According to Google Maps, the proposed waste landfill  
9 could be the closest one to any public school in this  
10 nation.

11           According to the U.S. Department of Health and  
12 Human Services, Agency for Toxic Substances and Disease  
13 Registry, they state PCBs can travel long distances in the  
14 air and be deposited in areas far away from where they  
15 were released. These are not my words; these are the  
16 experts.

17           PCBs are especially threatening to children, and  
18 I have great concern. I can't list them -- I can't list  
19 all the hazards to children -- especially to children. I  
20 have grave concerns because I have children attending  
21 these schools for the next six years, and I can't get any  
22 guarantees that PCBs won't migrate to these schools from  
23 the landfill. As a parent, I can't be satisfied with not  
24 an unreasonable risk. I want to hear from the U.S. EPA



1 that there is zero -- zero risk -- of PCB migration from  
2 this landfill. When it comes to the children in this  
3 community and the elderly in the nursing home across the  
4 road, only a zero risk is acceptable. If you cannot  
5 guarantee without a doubt that no children will risk any  
6 degree of PCB exposure -- zero -- over the life of this  
7 chemical waste landfill, then a great environmental  
8 injustice will be committed.

9           There are much better places to build this  
10 chemical waste landfill. Please do what your name implies  
11 and protect our environment, our children, before it's too  
12 late.

13                   (Applause.)

14           MS. GAWLINSKI: Thank you, sir, and I know you  
15 weren't able to read your entire comments, but I just  
16 wanted to remind you to please submit this in writing and  
17 it will be reviewed.

18           So, with that, please go ahead.

19           MR. HASLER: I'm Donald Hasler, H-A-S-L-E-R,  
20 [REDACTED].

21           This landfill out here back before the area got a  
22 hold of it was a city landfill. The southwest corner,  
23 when it started out, was a gravel pit. Now, I don't know  
24 what they give you guys for info on the southwest corner

1 of the facility, but it was a deep gravel pit. A friend  
2 of mine worked out there when they first started here.

3           You talk about them being responsible, last year  
4 we had problems with methane gas coming off out there, and  
5 there was enough thunder raised about it that they finally  
6 put a burner on it to get rid of it. They were supposed  
7 to be monitoring these things; it wasn't getting done. So  
8 people started getting ill and having problems on the  
9 south side of Clinton. And, oh, yeah; we were supposed to  
10 be burning it. So when they tell you all this stuff and  
11 you're getting a really good story about it, it gets  
12 pretty interesting.

13           Their county, the county that these folks live in  
14 that own this landfill out here, they rejected the  
15 chemical waste landfill there around Peoria County. They  
16 did not want that out there. That's why they applied down  
17 here to put it down here because they didn't want it.

18           But you've got 750,00 people or thereabouts  
19 getting water off the Mahomet Aquifer. They're wanting to  
20 put this in on top of the Mahomet Aquifer, putting plastic  
21 lining or membrane lining like you were talking about,  
22 three sheets of that down there to protect it. Have you  
23 ever seen a what bulldozer does to plastic? They're going  
24 to spread that stuff out and then you've got trouble.

1 It's a good token to say, Well, we put plastic lining  
2 down, but it doesn't mean much when it ain't there.

3 Last Saturday -- or last, I think it was  
4 Monday -- they had a 4.5 earthquake in St. Louis. We're  
5 on that same group. We've had shakers up here.

6 Now, when they say that there's a solid clay base  
7 all the way down, I've talked to farmers when they were  
8 having wells drilled on their farm that hit sand, so the  
9 information that I keep hearing from people's assurance  
10 scares the devil out of me.

11 And what about the water for the University of  
12 Illinois or Champaign, or Normal, or some of these places  
13 around here that haven't even heard about what's going on  
14 over here. What are they going to use for water? Bottled  
15 water ain't gonna get it. They're going to have to have  
16 some water to keep going. Those farmers down there are  
17 going to be out of business.

18 So, it's something serious for you folks to look  
19 at, and I highly recommend you turn it down because they  
20 haven't done -- it kinds of reminds me of GE where I  
21 worked for 31 years, if they can get around the EPA,  
22 they'll do it.

23 (Applause.)

24 MS. GAWLINSKI: Thank you, Donald.

1           Can I ask those with numbers 16 and 17 that would  
2 be signed in to please get ready to speak?

3           MR. SPENCER: My name is Bill Spencer,  
4 S-P-E-N-C-E-R. I'm the Vice President of Watch. I'm a  
5 Licensed Illinois Power Engineer; I'm HAZCOM certified;  
6 and I've worked for chemical companies. I am not in favor  
7 of this chemical waste unit.

8           Just for a note to start this out, when I took my  
9 training for HAZCOM, there was a joke mentioned in Logan  
10 County that there would never be a chemical waste unit  
11 found in this location, since we are in a sand area.

12           My first concerns are there's three areas that  
13 I'd like to look at that are areas -- that are criteria  
14 for chemical waste unit. One of them is 150 foot clay.  
15 There is no 150 foot clay at this location.

16           There are three Formations: The Wedron, the  
17 Glasford and the Banner Formations. All three of these  
18 are viable aquifers. In all three of these, people draw  
19 water from them at all levels.

20           The next issue is the 50 feet above water. This  
21 cell actually has to be in the air supported off the  
22 ground.

23           The other area that I'm concerned with, this is a  
24 recharge area for the Mahomet itself and for the Glasford.

1           I have a scientific study that was done just this  
2 summer. It's called: *Chemical and isotopic indicators of*  
3 *groundwater evolution in the basal sands of a buried*  
4 *bedrock valley in the midwestern United States:*  
5 *Implications for recharge, rock-water interactions and*  
6 *mixing.*

7           This document, I would like to make sure, is in  
8 the administrative record. It has 84 other scientific  
9 documents also to prove this. I'd like those 84 documents  
10 to be included.

11           One other thing I'd like to address is an unknown  
12 factor that the applicant and the U.S. EPA hasn't  
13 addressed. Currently, there was a Bill passed by the  
14 Illinois State Legislators. The House and the Senate both  
15 approved it. It's concerning geothermal loops.

16           There over 1,000 penetrations that have been made  
17 in the area of concern that have not been sealed between  
18 all three aquifers. Currently, those increases will  
19 probably go to two to three thousand penetrations within a  
20 mile or two of the cell. Our Senate and our House had the  
21 common sense to address this issue. It's now before the  
22 Governor.

23           I'd like you to really consider these facts to  
24 protect people. These are very important areas that we

1 need to be concerned with. Thank you.

2 (Applause.)

3 MS. GAWLINSKI: Okay, Ben?

4 MR. LEROY: My name is Ben LeRoy, L-E-R-O-Y, and  
5 I represent the City of Champaign. I'm here to read a  
6 letter from the Mayor of Champaign, Don Gerard.

7 On behalf of the City of Champaign, Illinois, I  
8 would like to urge the EPA to consider denying the  
9 proposed permit for PCB disposal at Clinton Landfill #3.  
10 This facility sits directly above the Mahomet Aquifer, an  
11 uncommonly large and pure source of groundwater that  
12 supplies water both to our community and the greater  
13 East-Central Illinois region.

14 Because the draft disposal approval considers  
15 only technical requirements, instead of a comprehensive  
16 set of siting factors, the Administrator is not compelled  
17 to issue a permit upon an applicant's satisfaction of all  
18 technical requirements, and Illinois contains numerous  
19 areas that do not rely on such a resource, the EPA should  
20 not approve the PCB disposal permit on the current record.

21 The EPA has developed a detailed record showing  
22 that the landfill meets the technical requirements of the  
23 Toxic Substances Control Act. I certainly appreciate the  
24 EPA's effort to ensure this bare minimum of compliance.

1 However, the EPA's deliberations appear to have stopped  
2 there. Other important considerations include the need  
3 for PCB disposal in the region, the potential for other  
4 landfills not sited above aquifers to fill this need, and  
5 the potential for existing PCB disposal sites to increase  
6 or expand operations. Instead of taking a comprehensive  
7 look at the serious problem of PCB disposal and balancing  
8 the benefits and detriments of all potential solutions,  
9 the EPA has narrowly focused on whether the Clinton  
10 site -- in isolation -- meets the bare minimum technical  
11 requirements. If approving the Clinton Landfill permit is  
12 the best option for the PCB disposal in this region, then  
13 the record should reflect that. Unfortunately, the  
14 current record reflects only that the Clinton Landfill is  
15 "good enough."

16           Fortunately, the Administrator is not compelled  
17 to issue a permit upon an applicant's satisfaction of all  
18 technical requirements. The regulations governing  
19 disposal of PCBs in chemical waste landfills give the  
20 Administrator broad discretion in adding or waiving  
21 technical requirements before granting approval to a PCB  
22 disposal applicant. Even if an applicant meets TSCA  
23 requirements, nothing precludes the Administrator from  
24 exercising her judgment in deciding if approval is the

1 best policy choice. As civic leaders, I and the City  
2 Council routinely draw distinctions between policies that  
3 we want to pursue for the good of our community and  
4 policies that, though within the scope of our powers, do  
5 not serve the best interests of the City of Champaign.  
6 The regulations grant the Administrator discretion in  
7 denying a permit to a landfill that meets the technical  
8 requirements, and I urge her to do so.

9           Finally, Illinois contains alternative locations  
10 for PCB disposal that are not sited above important  
11 aquifers as the Mahomet Aquifer. Over 800,000 people in  
12 15 counties rely on the aquifer for their water needs.  
13 Two of the most populous counties, Champaign and McLean,  
14 saw double digit growth over the last decade. In 2003,  
15 the Illinois State Water Survey mapped large areas of the  
16 state that neither overlie a large aquifer, nor withdraw  
17 large amounts of groundwater. PCB disposal in these areas  
18 would seem to pose a much smaller risk to groundwater  
19 safety.

20           I appreciate the EPA's willingness to take public  
21 input on the Clinton Landfill permit. Please feel free to  
22 contact my office if you would like to discuss this  
23 further.

24           Sincerely, Don Gerard, Mayor of Champaign.



1 (Applause.)

2 MS. GAWLINSKI: Just another reminder to clearly  
3 state and spell your name and to speak at a normal pace so  
4 that the court reporter accurately captures your thoughts.

5 And, before you begin, I'd like to ask those with  
6 numbers 18 and 19 -- that would be Charlie and James -- to  
7 please get ready to speak.

8 MR. HOFFMAN: Terry Hoffman, H-O-F-F-M-A-N.

9 Gosh, you know, with all this technical and  
10 scientific information we are receiving, it's kind of hard  
11 to understand why we're still here, but maybe you follow  
12 what our County Board follows. They really don't know how  
13 to understand all this information. I guess you have to  
14 read it and use some common sense.

15 When one of you was talking up there, you had  
16 indefinite fund. Isn't indefinite the same as never? The  
17 landfill in our 2002 siting stated they would never -- and  
18 I think that's the same as indefinite, so maybe that's the  
19 same thing -- never accept high concentrations of chemical  
20 or hazardous waste, and that's including the PCBs. So is  
21 never, does that mean anything, or is the hearing a joke?

22 Topography -- you say it needs to be flat. Which  
23 map are you looking at when you say it's flat out here? I  
24 haven't seen a flat spot here yet, and it does drain

1 downhill to Salt Creek, which I'm sure that recharges our  
2 drinking water.

3           The leachate that you say they're collecting,  
4 where is it disposed when they collect it? Right now I  
5 understand it's going back on the dirt to stop the dust  
6 when they're building the sites and for the run. Is that  
7 the place where it's put, or where does the leachate go?

8           Have you been to the landfill recently to see how  
9 they operate? Right now, Illinois EPA has let them start  
10 putting the -- oh, what's the name of it -- the MPG, the  
11 municipal gas waste -- but I think Illinois EPA, did they  
12 change that from hazardous to nonhazardous so it could now  
13 be accepted at Clinton Landfill? Because it is being  
14 dumped there in a site that is not finished. Part of it  
15 is lined; the other part is not. Where's the runoff go  
16 there? It runs down into the leachate field, which then  
17 is put back on their dust. Is that safe? Where is that  
18 dust going?

19           Do you guys go out and inspect any of this and  
20 see what's taking place? Do you have any common sense?  
21 They're Superfund sites now. If you got on your computer  
22 site and seen all the Superfund sites that you're cleaning  
23 up now, and most of those have PCBs in them, in the water  
24 contaminated. Why do we want to move those to here? Who

1 controlled that contamination to start with? Who okayed  
2 them to put it in? The EPA?

3 One more thing: You've already stated that you  
4 are going to put liners in this landfill, but they will  
5 leak. You have stated that; the EPA has stated that.

6 So I think we're very much against it; use some  
7 common sense.

8 (Applause.)

9 MR. BELANGLE: My name is Charlie Belangle,  
10 B-E-L-A-N-G-L-E. I'm here because I'm a grandfather, a  
11 great grandfather, and I'm concerned and worried about my  
12 great grandchildren's future and their children that  
13 they'll have a safe environment. Why must we be inundated  
14 by PCBs and toxics at all? Clean air and water are two of  
15 the most vital elements to sustain life.

16 My understanding of the EPA is to protect our air  
17 and water from toxics, protecting the citizens of the USA,  
18 so it doesn't make sense to allow certain damage to our  
19 water supply.

20 The EPA must not permit highly toxic materials to  
21 be dumped directly over the Mahomet Aquifer, which  
22 provides clean water for more than 750,000 people, period.  
23 We've already heard that.

24 Exposure, over the years, and Mother Nature --

1 Mother Nature can be very cruel at times -- and Father  
2 Time compromise the landfill. Nothing lasts forever.

3 If this permit is issued, it will be a crime  
4 against the citizens; a crime that's comparable to a  
5 terrorist attack, when environmental protection fails and  
6 our future generations suffer because of today's decision.

7 The U.S. is the land of the free and brave. It  
8 also seems to be the land of the greedy and bad decisions.

9 May God bless America and save it from the  
10 federal pollution to our air and water, pollution that  
11 will ruin our everyday way of life.

12 Floods, tornados, wild fires, they're out of  
13 control, but this potential disaster can be controlled by  
14 us if we do the right thing by protecting the Mahomet  
15 Aquifer from toxic waste.

16 Common sense should prevail. Please don't  
17 endanger our clean water supply by toxic waste. Thank  
18 you.

19 (Applause.)

20 MS. GAWLINSKI: Thank you for your comments. Can  
21 I ask those with numbers 20 and 21 -- that would be Lee  
22 and James -- to please get ready to speak?

23 MR. FUHRER: I'm Jim Fuhrer from Mt. Pulaski,  
24 Illinois, F-U-H-R-E-R. I'm the Mayor. I'm not a very

1 good talker. But all you people here do your job. I'm no  
2 doctor or scientist, but for my people in Mt. Pulaski, it  
3 ain't good. Thanks.

4 (Applause.)

5 MR. PEACOCK: Good evening. My name is Lee  
6 Peacock, P-E-A-C-O-C-K.

7 I thank the EPA for coming here tonight, and I  
8 apologize on behalf of the residents of DeWitt County who  
9 have not told you these issues earlier. I'm sorry that we  
10 are in the fifth or sixth step of this process before  
11 we've made our points clear to you. I'm sorry our Board  
12 has not spoken up sooner. I am sorry that they're not  
13 speaking up now.

14 (Applause.)

15 I'm sorry to the other communities and the other  
16 people who drink out of this aquifer who have to be  
17 represented by DeWitt County Board. They don't do you  
18 justice; I'm sorry.

19 Earlier this evening, Ms. Guerriero pointed out  
20 that she appreciated our venue here. I graduated from  
21 this high school. I would like to keep this venue a nice  
22 one. I do not believe that Clinton Landfill has Clinton  
23 in its best interest. They have not been a good shepherd  
24 to this community in any way, shape, or form. They may

1 pump in a few dollars -- go ahead.

2 (Applause.)

3 Clinton Landfill has done nothing positive for  
4 this community or any of the communities around us.

5 I'm also sorry that the Mahomet Aquifer does not  
6 serve the Chicago area.

7 (Applause.)

8 Two weeks ago was my 40th birthday. I don't  
9 think the PCBs are going to affect me. My ten-year-old  
10 and my 13-year-old, however, I have grave concerns for. I  
11 have concerns for my unborn grandchildren someday. I've  
12 got five fingers on this hand and five on this hand. When  
13 we start getting the extra digit, I don't think that that  
14 is a way of progressing the human race.

15 PCBs are a dangerous, dangerous substance. I'm a  
16 Certified Plumbing Designer; I'm a Certified Plumbing  
17 Engineer; I'm a Certified Engineering Technician for [REDACTED]  
18 [REDACTED]. In that regard, we are required  
19 to sizably break every piece of piping that we hang. How  
20 is putting a toxic substance under -- over a creek, over  
21 an aquifer, near schools, near people, represented by a  
22 minimal amount of government, a good idea?

23 I understand the EPA's code minimums have been  
24 met by the application. I also understand the code

1 minimums are not necessarily the best intents.

2           One of the indications that was mentioned earlier  
3 is that the manufacturing specifications of the liner was  
4 met. Does the specification include the word forever? If  
5 it doesn't include the word forever, what we're doing here  
6 is silliness. There is no reason to put these toxic  
7 substances on drinking water, near people, for 750,000  
8 people to drink later on in life.

9           Thank you very much for your time. Please  
10 consider denying this application.

11                   (Applause.)

12           MS. GAWLINSKI: Thank you. May I ask those with  
13 numbers 22 and 23 -- that would be Vanessa and Amanda --  
14 to please get ready to speak?

15           MR. MCROY: My name is James McRoy, M-C-R-O-Y.

16           I've heard all of the technical information given  
17 by various members, and a couple people have mentioned  
18 earthquakes. I've been very positive on this aspect for a  
19 while now. Two hundred years ago, one of the largest  
20 earthquakes ever to strike the United States of America  
21 hit this part of our country. It started with a series of  
22 tremors that happened for several months before the big  
23 ones hit. Just last week we had the beginning of a series  
24 of small tremors. Will this liner protect us if we get a

1 major earthquake? No, it won't; we know that. We will  
2 have 150,000 to 200,000 people coming here from the  
3 southern parts of Illinois that we will need to take care  
4 of. If we don't have the water to give them, where will  
5 they go?

6 I've got grandchildren here now. I've got  
7 grandchildren ranging in ages from two years to 21 years.  
8 Where will they go? Where will they drink? Where will  
9 they bathe if you folks allow those people, for money, to  
10 poison our water. Thank you.

11 (Applause.)

12 MS. MANDRELL: I'm Vanessa Mandrell,  
13 M-A-N-D-R-E-L-L, and I'm a grandmother who lives here in  
14 Clinton, and I have [REDACTED] and the first  
15 thing the doctor asked me, Were you exposed to any  
16 chemicals? And I didn't know at the time that I had been  
17 exposed to PCBs, and it's irreversible. Once you have it,  
18 it's yours forever. And I'm asking you, with common  
19 sense, you do not put poison near your drinking water.

20 I think the EPA is here to protect us, and I  
21 think that the landfill is here against us. They were  
22 just a landfill at one time, and they guaranteed us 20  
23 years of being able to dump in our own backyard, and that  
24 filled up in 10, so we gave them more land, and that's



1 filled up. Now they want to bring in poison.

2 Now, I'm asking you, what they tell you is not  
3 always true.

4 (Applause.)

5 You may think -- you may think they have passed  
6 everything that you want them to put into safety for our  
7 county and for several surroundings counties, but they're  
8 lying. They are lying.

9 For a long time, methane was so thick around  
10 Clinton, it made you sick to even drive through it. I  
11 don't know how the people stood it that lived near it,  
12 but, boy, when they found out they were going to get the  
13 PCBs, they cleaned their act up real quick, and you don't  
14 smell the methane anymore, but for months you did.

15 I'm asking you -- you're our protectors; you are  
16 the ones that can deny this -- and I'm asking you to deny  
17 it for our future generations. Thank you.

18 (Applause.)

19 MS. GAWLINSKI: Thank you. May I ask those with  
20 numbers 24 and 25 -- that would be Jan and Debra -- to  
21 please get ready to speak? Go ahead, Amanda.

22 MS. MANDRELL: I'm Amanda Mandrell, the  
23 granddaughter of Vanessa. [REDACTED]. I  
24 attend [REDACTED] and am a Biology Major and plan

1 to continue my biology career in environmental studies.

2 In a few of my environmental classes, I have  
3 learned that everything has pros and cons. I was talking  
4 to my boyfriend the other day about this, and he looked up  
5 PCBs online. All he could see were the cons, no pros. So  
6 I'd like to know, what are the pros to having the PCBs put  
7 here?

8 I have also seen the postcard that was sent to  
9 Clinton and how far this PCB will spread. In my mind, I  
10 thought of more of my biology lessons. This is just one  
11 that popped in my head: An insect would maybe mess in the  
12 dust and get PCB all over it; then a bird would eat that  
13 insect. The bird will either reproduce and have babies,  
14 which might have PCBs in them, or the bird might be eaten.  
15 Then the animal who's eaten the bird will carry the PCBs.  
16 How far will the PCB travel, both through the water and  
17 through the consumption of the animal?

18 So I wish -- so I want to tell you, please do not  
19 allow the Clinton Landfill to put these chemicals in our  
20 hometown.

21 Also, I was talking with my two younger cousins,  
22 ages seven and ten, about this. The youngest one, seven,  
23 went to me and went, Are they really going to be putting  
24 this into our body? And I want to make sure that my

1 younger cousins do not get this stuff in their body.

2 Thank you.

3 (Applause.)

4 MS. WHITSITT: My name is Jan Whitsitt,

5 W-H-I-T-S-I-T-T. I'm a retired RN [REDACTED]

6 [REDACTED] I worked in the oncology department and, sad to  
7 say, I have taken care of several people from this area,  
8 and they have asked me if I thought that the landfill,  
9 Clinton Landfill, had anything to do with the increase in  
10 cancer. I have to say yes; I do believe that there's a  
11 trickle down, and I think it's been going on for some  
12 time, and with this application, I only see it getting  
13 worse, and if you've taken care of a patient that's  
14 suffering from cancer, you really -- it makes a believer  
15 out of you.

16 I have another concern: Why must we bring the  
17 waste from the Chicago area downstate? I see no reason  
18 for this, really. I don't care if money is involved.  
19 That's not where it's at. I really think we need to take  
20 care of our water supply and our drinking water.

21 One of the first things in nursing that you  
22 encourage your patients to do, unless they have a kidney  
23 problem, Drink lots of water; flush your system. Do you  
24 want them to put poison -- do we want to feed them poison?

1 I say not. We certainly do not.

2 And we've been told that the waste with the PCBs  
3 from Mattoon, they aren't dangerous. Well, if they aren't  
4 dangerous, why don't they leave them where they are?

5 (Applause.)

6 Why do we need to add to the problem? It just  
7 plain does not make sense.

8 We're concerned for our future generations. We  
9 must take care of them. They are our future.

10 In the handout that you gave us, it says once in  
11 the environment, PCBs -- once in the environment, PCBs do  
12 not readily break down and may remain for long periods,  
13 cycling between air, water, and soil.

14 PCBs have been demonstrated to cause cancer,  
15 first one, as well as a variety of other adverse health  
16 effects on the immune system -- you mess up your immune  
17 system, you've had it -- the reproductive system, and the  
18 nervous system, and endocrine system.

19 I do ask you to please deny this application that  
20 we might save our friends and loved ones and future  
21 generations. Thank you.

22 (Applause.)

23 MS. GAWLINSKI: Thank you. Will those with  
24 numbers 26 and 27, Terry and Brendan, please get ready to

1 speak?

2 MS. SHAW: My name is Debra Shaw, D-E-B-R-A  
3 S-H-A-W.

4 My understanding is that Chicago has a PCB  
5 problem that needs to be cleaned up and, consequently, we  
6 need a place to put this waste. It's unfortunate, and  
7 wrong, that the people of Chicago have a problem with  
8 exposure to PCBs.

9 It is also my understanding that even though  
10 protective liners would be used, the question is not if  
11 the protection will fail, but when.

12 As we all know, the government doesn't  
13 financially have a pot to pee in, so having a PCB landfill  
14 with all its hazards located over an aquifer that serves  
15 hundreds of thousands, possibly damaging their health, and  
16 some of the best agricultural farmland in the world,  
17 without the ability to make us physically or financially  
18 whole, is wrong.

19 I assume that all of you people in the EPA were  
20 told, as I was by my parents, that two wrongs never make a  
21 right.

22 (Applause.)

23 It isn't as though there weren't already enough  
24 landfills in the country to provide adequate space to take

1 care of Chicago's waste.

2 So, in conclusion, I ask that the EPA follow some  
3 other advice that was probably given to them by their  
4 parents: Listen to your conscience, that small voice  
5 inside you that tells you not to do something that is  
6 wrong.

7 MR. WILLIS: Terry Willis, W-I-L-L-I-S.

8 I'd like to thank the previous speakers for  
9 making their points so well. I agree with just about  
10 everything that was said, which will allow me to keep my  
11 comments short.

12 I live [REDACTED] on a  
13 farm that's been in our family since 1870. While I grow  
14 weary of this discussion, I'm happy to provide my  
15 comments. I don't even think I should be here making  
16 them.

17 I believe the EPA should take into account the  
18 following: Using the applicant data, they failed to meet  
19 the requirements. Others have expounded on that. The  
20 overwhelming public referendum rejections of the proposal,  
21 twice; the failure of the current and former County Boards  
22 for failing to follow process. You wouldn't let your kids  
23 fail to follow process. It seems like our local  
24 government is even worse than our national government.

1 (Applause.)

2 In some instances, the local County Board doesn't  
3 even follow their own protocols and processes.

4 Most of what the other things I have here were  
5 covered by prior speakers.

6 If you approve this application, you have failed  
7 to protect and to represent the public.

8 (Applause.)

9 MS. GAWLINSKI: Thank you. Will those with  
10 numbers 28 and 29 -- that would be Terry and Vincent --  
11 please get ready to speak. Go ahead.

12 MR. BURTON: My name is Brendan Burton, that's  
13 B-R-E-N-D-A-N, B-U-R-T-O-N. I'm nothing but a laborer. I  
14 work at a grain elevator. I live [REDACTED]  
15 [REDACTED].

16 I heard a comment saying that you don't smell  
17 methane gas anymore? Well, I went home the other day down  
18 51, and I can still smell methane gas.

19 The County's concerned about money from Area.  
20 Who's to say 20, 30 years that we're still going to get  
21 that money from Area? Are they not going to find a  
22 loophole? Mistake me if I'm wrong, but didn't Illinois  
23 Power also promise money when they built the nuclear power  
24 plant here, and they found a loophole to discontinue

1 paying money to the schools?

2           The EPA suit-and-tie people are not there to make  
3 sure they're doing the right job. I know all about  
4 tricks, getting around things. They'll say anything to  
5 get their foot in the door, and then from there.

6           Then, also, Area's gotten in trouble for having  
7 runoff into the Salt Creek right down the way. Area is  
8 also the place that said they were recycling stuff. Well,  
9 that recycling stuff is getting dumped into the landfill  
10 with all the other trash. So, I don't know. But all  
11 that's irrelevant.

12           I think common sense should play a very big  
13 factor -- not money, not capitalism, not greed. Thank  
14 you.

15                       (Applause.)

16           MS. GAWLINSKI: Is Terry Ferraro here? Number  
17 28? Okay. How about Vincent Sims, Number 29. And if we  
18 could have those with numbers 30 and 31, Mark and Milt,  
19 please get ready to speak. Go ahead.

20           MR. SIMS: Good evening. My name is Vincent  
21 Sims, V-I-N-C-E-N-T, S-I-M-S, Alderman for the City of  
22 Maroa. We're not as big as Champaign yet, but we are  
23 seven miles straight south of here, if you do not know  
24 where we're located at.



1 I'm going to read just a couple paragraphs of a  
2 rough draft that we prepared at the last City Council  
3 meeting. We'll be voting on this June 27th. I don't  
4 think there's going to be any problem with this passing.  
5 I would like to leave a full copy, if I could, with the  
6 Clerk here.

7 WHEREAS, the Mahomet Aquifer is the source of  
8 water for most of the Maroa residences and businesses; and

9 WHEREAS, PCB materials are considered toxic  
10 chemical waste under the laws of the United States and are  
11 suspected to be carcinogenic and are linked to numerous  
12 health issues, including cancer and noncancer effects on  
13 the endocrine, reproductive, and immune systems; and

14 WHEREAS, the proposed design of the chemical  
15 waste landfill at the Clinton Landfill #3 cannot guarantee  
16 containment of the toxic materials forever, or for a  
17 length of time consistent with Maroa being a viable  
18 location for its present and future residents and  
19 businesses; and

20 WHEREAS, that if the landfill owners become  
21 insolvent, they will no longer be financially responsible  
22 for the maintenance and oversight of the hazardous  
23 landfill. Instead that responsibility will fall upon the  
24 federal or state government to fulfill, creating a larger

1 tax burden for many citizens, including the taxpayers of  
2 Maroa.

3 NOW, THEREFOR, BE IT RESOLVED by the City Council  
4 of the City of Maroa, Macon County, Illinois, as follows:

5 The City Council, the City of Maroa, Illinois  
6 opposes the permitting by the United States Environmental  
7 Protection Agency of the proposed chemical waste landfill  
8 as a portion of the site of Clinton Landfill #3 to be  
9 located just south of Clinton, Illinois. Thank you.

10 (Applause.)

11 MR. SCHLEETER: Mark Schleeter, are you ready?  
12 S-C-H-L-E-E-T-E-R. Sorry for that name.

13 I, too, am from Maroa -- I pastor a church  
14 there -- and I'm just very much aware that there's a great  
15 deal of concern, not just my members of my church. Many  
16 of them are farmers who live on the land that they farm  
17 and are hoping to see many more generations live on that  
18 land.

19 I have not been to any of these hearings or  
20 events until tonight. I listened to you folks  
21 presentations about how this permit satisfies the  
22 requirements, and I thought, Well, that sounds pretty  
23 good, but then I also heard that there's some holes in  
24 that, and it also seems to me that there's some

1 assumptions that should concern us all.

2           One assumption is that the people who run the  
3 landfill will honestly report. Another assumption is  
4 about the fund that will be administered when the landfill  
5 closes. We have seen the Great Recession. There are  
6 certainly economic factors that could be unforeseen that  
7 could decimate such funds.

8           I've also heard that there will be liners that  
9 hopefully will last 100 years, but it should be a concern  
10 to all of us that they only last 100 years; and it seems  
11 actually immoral to even think about polluting an aquifer  
12 that serves three quarters of a million people; and let's  
13 say in 100 years everything goes well, but then at that  
14 time it begins to leak and leach out, there might be a  
15 million or more people in this area. We won't know  
16 them -- we'll be dead, of course -- but they are people  
17 just like us.

18           And, so, the final thing, and I think it's the  
19 obvious thing to everybody here, it sits over the Mahomet  
20 Aquifer. There should not be a toxic site over any part  
21 of this aquifer. Thank you.

22                           (Applause.)

23           MS. GAWLINSKI: Thank you, sir.

24           Is Milt Emerson here, number 31? Great.

1           And can I ask, we have a few -- about another  
2 half dozen or so people who signed up to speak as well, so  
3 may I have those with numbers 32 and 33, Dorothy -- or  
4 Dorothea, excuse me, and Harold, please get ready to  
5 speak. Go ahead.

6           MR. EMERSON: My name is Milt Emerson. That's  
7 E-M-E-R-S-O-N, one M.

8           If Area Disposal wants to threaten to sue me like  
9 they have so many other people, they can sue me and then  
10 some. But my thoughts are more impromptu, extemporaneous.

11          My first point is, 750,000 people can be affected  
12 by a spill, and I don't think there has been adequate  
13 notification to these people. They're not even aware of  
14 this fact, and they have one week to respond, and they're  
15 not even aware of this fact. They don't know even know  
16 what the legal implications are.

17                   (Applause.)

18          Secondly, as I was sitting here, I was thinking,  
19 we have a nice little store up here in Clinton, and there  
20 was a gentleman there by the name of Abraham Lincoln who  
21 gave a speech, and we claim that he said that you can fool  
22 some of the people some of the time, all of the people --  
23 or you can fool some -- you can fool all of the people  
24 some of the time; some of the people all of the time; but

1 have leaks. If there's a leak, it costs a lot of money  
2 and it has to be fixed.

3 Now, what I'm wondering about here is maybe I  
4 don't live in this county, but maybe some of the people on  
5 that board should be voted out.

6 (Applause.)

7 And what you have to do is go to those board  
8 meetings -- I mean a lot of people -- and you find out  
9 who's voting for it and who voted against it, and then the  
10 next time they're up for election, get rid of them. Okay.  
11 Thank you.

12 (Applause.)

13 MR. BRUSO: Good evening. I'm Harold Bruso, B as  
14 in boy, R-U-S-O, and I'm a former -- I own [REDACTED]  
15 [REDACTED], and I owned part of the landfill there in  
16 Decatur -- [REDACTED] -- and  
17 there's not a whole lot I can say to that that hasn't  
18 already been said. I am totally against this PCB being  
19 deposited in this landfill.

20 I was at one of the other meetings that they had  
21 when they wanted to expand this one, and I was against it  
22 at that time because I asked for the inspection report and  
23 how many inspections that they had. Well, come to find  
24 out, there was only one or two inspections for the whole

1 you cannot fool all of the people all of the time, and I  
2 think that our neighbor, the Area Disposal folks, have  
3 fooled a lot of people so far.

4 (Applause.)

5 They have definitely not been good neighbors.  
6 They have broken so many promises that they made to us in  
7 2002 that there would never, never be -- they told us  
8 there will never be any hazardous waste, any liquid waste  
9 put in that landfill, and there already is. And I just --  
10 now we're going to have -- so now we're going to have the  
11 same fox at the hen house monitor the PCB storage, monitor  
12 three times a year, whether the wind is too high to dump.

13 We have winds, you know, 30, 40, 50 mile-an-hour  
14 winds here. We have tornados, and they're going to  
15 monitor it three times a year, yeah, when it's completed;  
16 8 o'clock in the morning on a still morning they'll  
17 monitor it, if they monitor it -- that's what they'll  
18 do -- if they bother to even do that.

19 And my final point, and I truly hope that the EPA  
20 is here to honestly listen to our comments, and I hope  
21 that a decision hasn't already been made and this is just  
22 a dog and pony show. I truly hope that's not the case.

23 (Applause.)

24 But even if you grant the permits, I think

1 Winston Churchill said it when the Nazis were looming over  
2 England in World War II, and it looks they were just going  
3 to be swallowed up by bigger entities, and I hope that  
4 isn't our government. But we will continue to fight each  
5 and every way we can, even if you pass the permits. Thank  
6 you.

7 (Applause.)

8 MS. GAWLINSKI: Before you get started, let me  
9 ask those with numbers 33 and 34 to please get ready to  
10 speak. That would be Harold and Michael. Thank you.  
11 Please go ahead.

12 MS. SMITH: Dorothea Smith, S-M-I-T-H. I'm from  
13 [REDACTED]

14 Now, there's a petition going around, but we  
15 really didn't know what this was all about, and I didn't  
16 know anything about this meeting tonight, except for a  
17 letter in today's News Gazette. I was way up in Chicago  
18 and a lady read it to me, and I thought, oh, my, gosh,  
19 that's tonight; I've got to get home and go to that.

20 Now, here's the thing. We're downstream on an  
21 aquifer, and there's even a water bottling company that  
22 pulls water out of there, so we could be polluting it in a  
23 lot of other places, not just for our own cities.

24 Now, I was just thinking. In the world, we are

1 so lucky here. In some places they don't have enough  
2 water. In Africa they don't have enough water. Some  
3 places they have too much water, but it's polluted. Here  
4 we are with one of the best water supplies in the world,  
5 and I'm proud to say that, and we're thinking about  
6 putting pollutants in it?

7 Now, say you were 99 percent sure that this would  
8 work; nothing will go down; 99 percent. So you have a one  
9 percent chance of error, but what are the results of that  
10 error? Whoa, they could be dire. Now, you have a 99  
11 percent chance of nothing occurring to somebody else, and  
12 it wouldn't make any difference, so who cares? But we've  
13 got that -- say we just had that one percent. We're here  
14 because we care, and I drove all the way over in the rain  
15 to get here to say this is ridiculous.

16 Now, thinking about the assurance. Several years  
17 ago we had a -- we call it the city dump; and they call it  
18 something else, but we call it the city dump. They closed  
19 it; they put in liners; they put in clay; they did all of  
20 this stuff 21 years ago. Okay. We had one small leak,  
21 and it went into our little back yard creek and some of  
22 the fish died, so then they worked on it again. Maybe  
23 about five years ago we had a bad leak, and a lot of fish  
24 died. Okay. You cannot assure that you're not going to



1 year. This was the whole year. In Macon County we had an  
2 inspection at least three to four times a week, and we  
3 were still fined numerous thousands and thousands of  
4 dollars, and I can tell you the EPA does not hold up to  
5 what they truly say. I know this. I've been to  
6 Springfield and I've paid these bills. The EPA has way  
7 too much power. We need inspections on a daily basis. I  
8 don't know whether DeWitt County even has a person who  
9 inspects the landfill, or who does the inspections, I  
10 don't know, but I can tell you -- I don't know who it  
11 was -- but someone said something about the methane gas.  
12 It is strong. My property is just west of the landfill  
13 about a half mile, and I can guarantee you I can smell  
14 that methane gas. Either that, or I'm accustomed to it,  
15 but I'm retired now for 12 years, so it's there.

16 That's pretty much all I have to say. Thank you.

17 (Applause.)

18 MS. GAWLINSKI: Thank you. Will those with  
19 numbers 35 and 36 please get ready to speak? That would  
20 be John and Claudine.

21 MR. LANDERS: Landers, Michael James. I've been  
22 in the salvage business. I've been cleaning up illegal  
23 dumps and ravines and farms my entire life around here.  
24 I'm acquainted with that dump from its inception until

1 now. I was friends with John Warner, and he let me  
2 mushroom hunt back there.

3 The guy's name is Dustin Berger that inspects the  
4 dump. He's been -- I've known him for about 16 years.  
5 And, anyhow, that dump -- you know, the berm factory, you  
6 have to put layers down, whenever they're saying it's  
7 going to seal, then they take that berm factory stuff and  
8 put it on top of that to keep it from tearing, the stuff  
9 that's burned out there.

10 And the illegal waste management that happens in  
11 DeWitt County that the EPA is supposed to be protecting  
12 people about, you know, I know from experience because I  
13 turn people in -- corporations, you know -- they did  
14 nothing, nothing to the corporations but go to dinner with  
15 them.

16 And the other thing you need to know, all the  
17 landfills in Central Illinois are located by a waterway.  
18 So, you know, they're waking the living dead. You're  
19 talking about something where hazardous waste has been  
20 going into this landfill for 30 years. You're brain dead.  
21 You haven't got an idea of what's going on. You're  
22 talking about Chicago. What about New York, Detroit,  
23 Pennsylvania -- everywhere in the country that there's  
24 illegal waste, it's been going into the Coulters Landfill.

1 I know people that have worked at the landfill  
2 that could tell you exactly where contaminated hazardous  
3 waste is buried. You think they're going to dig it up?

4 You know, you've got the blind leading the blind.  
5 The EPA are in bed with Lisa Madigan's office. When I  
6 went to Lisa Madigan's office and asked for help, she told  
7 me, We don't work for people like you.

8 Now, as long as you're a corporation and you can  
9 keep yourself self-insured because you've got more money  
10 than God -- that's what they told me; these people have  
11 more money than God.

12 The EPA, if you want an understanding of where  
13 I'm coming from with the EPA, you're college-educated  
14 idiots. You sit behind a desk and push pencils and fine  
15 people that are out there working every day. You know, we  
16 work; we labor. You know, this is what we do for a  
17 living. We work to live. We don't to live to work; we  
18 work to live. We have to survive.

19 And you want survival? If you let them do that,  
20 that quake that they're talking about, that earthquake,  
21 that's not bullshit. That's not a story. Look at Japan.  
22 Look what happened. They had all their bases covered,  
23 too.

24 Thank you for your time.

1 (Applause.)

2 MR. SANDFREY: My name is Charles Sandfrey,  
3 S-A-N-D-F-R-E-Y.

4 I have one comment. The federal government  
5 doesn't know what to do with nuclear waste; why are they  
6 going to make an environmental time bomb?

7 MS. GAWLINSKI: Is Claudine Wargel here, number  
8 36?

9 MS. WARGEL: It's Claudine Wargel; the last  
10 name's W-A-R-G-E-L.

11 I live [REDACTED]  
12 [REDACTED] It's a great community, and thank you very much for  
13 being here and for everybody's comments tonight.

14 Obviously, you can sense that there's some  
15 frustration and I think, you know, what I want you to  
16 understand is that people feel like they're being taken  
17 advantage of, okay? You know, we feel taken advantage of  
18 to some degree. Some important things have been said  
19 tonight.

20 The thing I want to be sure you understand is  
21 that this company, your process, the regulations, the  
22 rules, obviously you're trying to do your job and do it  
23 well, and based on science and everything, but the thing  
24 it doesn't consider is whether or not there's any real

1 accountability or trust being placed in this company. The  
2 success of everything it's proposed is based on that, and  
3 from what I've seen, historically, the landfill is pretty  
4 much self-regulated, you know. I'm not an authority on  
5 it, but I think some of the other testimony tonight points  
6 to that. They have made virtually no effort to have a  
7 connection with the people in the community to communicate  
8 with us about what's going on. They've given absolutely  
9 no reason for anyone here to trust that they're going to  
10 do the right thing, and there are some opportunities for  
11 problems. It doesn't take an earthquake, by any means;  
12 you know, it could be much less.

13 I think our person that was talking about the  
14 technicalities of the regulations said, you know, you're  
15 not going to spread a certain type of product onto the  
16 plastic because it could rip it, I don't believe for a  
17 minute that the wrong thing is going to be spread on top  
18 of that plastic and just breach it right off the bat, and  
19 I'm sure there are a lot of people in the room who agree.

20 So, please take into consideration and use your  
21 discretion, which you have, to protect us. We're asking  
22 you to. We may not -- you know, I want to apologize like  
23 Lee did that we're commenting so late in the process, but  
24 keep in mind, our representation here is not as great as

1 what you have where you live. You know, that's a factor.  
2 Please don't hold that against us that we're sharing our  
3 comments so late in the process.

4 And I did have one question, which I hope you  
5 responded to in your closure document. You know, it  
6 doesn't seem like the siting process is comprehensive. It  
7 mostly just looks at you're getting an application; you  
8 know, is it the appropriate type of place for this type of  
9 product to go?

10 You know, I'd like to know, does the EPA have any  
11 type of proactive system for identifying the places in the  
12 United States that are the very most appropriate from a  
13 geological standpoint, from a weather pattern standpoint,  
14 for this type of waste. You know they have to go  
15 somewhere; you know, we can't deny that. Is there a  
16 proactive process for identifying places? Because if  
17 there's not, we really just committed ourselves to a  
18 system that is driven by the commercial interests, you  
19 know, who make a living off of finding places to put that  
20 waste and the path of least resistance, and I think that's  
21 no way to decide the future of our country and our  
22 community.

23 So, I would implore you to consider that, respond  
24 to that question, and also to please deny this application

1 and be our protector in this process.

2 (Applause.)

3 MS. GAWLINSKI: Thanks, Claudine. Is someone  
4 holding a post-it with number 37? Okay. And does anyone  
5 else -- would anyone else like to make a comment?

6 MS. SAMS: Hi. My name's Janice Sams, S-A-M-S,  
7 and I have worked at [REDACTED]. I worked in the scale  
8 houses as they took the trucks and dumped the garbage down  
9 into the landfills, and my main concern is I had  
10 on-the-job training, and they do -- maybe they don't need  
11 training anymore than that. I don't know all the legal --  
12 I don't know -- but I do know that I just want to implore  
13 you that what the woman said tonight is very true. I saw  
14 that when they tried to bring the union up in Peoria at  
15 their other facilities, and when the truck drivers, which  
16 have to work 60 hours a week mandatory, were told, "it is  
17 what it is" if they want their jobs. Everything is  
18 mandatory or you don't have a job.

19 I've been in this area. I've worked at [REDACTED]  
20 [REDACTED], but -- I'm sorry, I lost my train of  
21 thought -- but they brought in a real strong-armed man and  
22 paid him thousands of dollars when they tried to get the  
23 union in there for those truck drivers to get decent wages  
24 and then strong-armed all the workers, and it didn't pass,

1 and I just want to implore you that what people have said,  
2 I saw it; and, so, honestly, please -- please consider  
3 this. Thank you.

4 (Applause.)

5 MS. GAWLINSKI: Well, we definitely appreciate  
6 you taking the time out -- oh, okay. Sir, go ahead.

7 MR. RUCKMAN: Thank you. I apologize for holding  
8 everybody up.

9 My name is Fred Ruckman, R-U-C-K-M-A-N. I work  
10 for [REDACTED] We serve  
11 Champaign-Urbana, most of Champaign County, and have done  
12 so for almost 100 years. We have a water plant in Urbana  
13 that is over 100 years old, and when I hear the  
14 discussions about liners that might last a hundred years,  
15 and I think about our water plant that's older than 100  
16 years old, it gives me concern.

17 This area is blessed to have probably one of the  
18 finest water supplies in the United States and the world,  
19 and here we are spending a lot of time considering what is  
20 more important to this area: That we site a toxic  
21 landfill that has options as to the placement of that  
22 landfill; or to protect the water supply that really is  
23 our only option for water supply for this area.

24 I think it takes wisdom when U.S. EPA ultimately



1 makes its decision because the science might very well say  
2 it's okay to site that landfill in this area, but I think  
3 it takes wisdom to think beyond the terms of 50 or 100  
4 years.

5 I hope the water supply, I hope [REDACTED]  
6 [REDACTED] and I hope the future generations are here maybe  
7 hundreds, maybe thousands of years from now. That's how  
8 we need to be thinking, and that's why we need more than  
9 science. We need wisdom when we think about this very  
10 important decision, and I hope that the U.S. EPA decides  
11 that it's in the better interest that we site this  
12 landfill elsewhere.

13 (Applause.)

14 MR. KNAUER: I'm Darrell Knauer, K-N-A-U-E-R. I  
15 am from Mt. Pulaski. I'm on the City Council, and we  
16 recently circulated petitions to bring here for the  
17 opposition to this landfill.

18 I'm going to go a little bit beyond the aquifer.  
19 I don't know if you're familiar with Mt. Pulaski, but our  
20 whole well field is in the Salt Creek basin. If any PCBs  
21 get in the Salt Creek, they'll be directly in our water  
22 supply; so I ask for your consideration and stop the PCBs.  
23 Thank you.

24 (Applause.)

1 MS. KNAPP: My name is Lauren Knapp, K-N-A-P-P.

2 MR. BUCKLEY: And I'm Dan Buckley, B-U-C-K-L-E-Y.

3 MS. KNAPP: We drove down here from Normal,  
4 Illinois. We recently graduated from [REDACTED] and we are here  
5 today because we are concerned, and we will be affected if  
6 something happens by putting PCBs into the water supply.

7 The gentleman that spoke two people before us, he  
8 mentioned that we need to focus on this hundred year  
9 timeframe. I just want to mention how recently in the  
10 past month another entity within the federal government  
11 made a very, shall we say, unpopular decision to look back  
12 a hundred years on some fail safes that were put in place.

13 The U.S. Army Corps of Engineers, they in the  
14 early 20th Century, they put in several fail safes and  
15 safety measures, which they ended up using recently that  
16 saved not only New Orleans, but also Cairo, Illinois, and  
17 I urge you to look upon them and think that although that  
18 decision was unpopular because it flooded farmland, it  
19 also saved several areas and prevented the great flood  
20 from happening again and impacting New Orleans and several  
21 other large areas.

22 This is an opportunity for you guys to use them  
23 and for us to use them as an example, and not only did  
24 they have to look back a hundred years, now it's our

1 opportunity to look forward a hundred years, because it's  
2 not matter of if, but when, it will our problem.

3 Thank you.

4 (Applause.)

5 MR. BUCKLEY: Personally, I did not want to be up  
6 here, but my girlfriend got me up here. But I want to ask  
7 how many people in here are farmers?

8 (Indicated by raising hands.)

9 There's quite a few. How many irrigate?

10 (Indicated by raising hands.)

11 There's not that many.

12 Imagine putting this over an aquifer where  
13 irrigation occurs. We have the greatest source of soil in  
14 this area in the world that we feed many parts of the  
15 world with. Imagine these toxins and PCBs getting into  
16 this corn, this soil, and spreading all over the world.  
17 This is not just a local hazard; it's worldwide, possibly.  
18 This isn't something that you need to just think, this  
19 could hurt us and our generations to follow; this hurts  
20 everyone around us and everyone around them. Thank you.

21 (Applause.)

22 MS. GAWLINSKI: Thanks, Lauren; thanks, Dan.

23 Okay. Well, I'd like to thank you for taking  
24 this time out of your busy schedules to be here tonight

1 and to share your thoughts and questions with us on this  
2 draft approval.

3 I just want to remind everyone once again that  
4 the 60-day commentary, which began on March 15th, will  
5 close next week on June 15th; so we encourage you to, you  
6 know, if you didn't feel comfortable getting up and  
7 speaking tonight, to put your thoughts down, and either  
8 mail them to us, e-mail them to Rafael Gonzalez, whose  
9 information is on the screen behind me, or go online to  
10 our website and make your comments that way.

11 With that, I think we'll close the meeting, and  
12 we're hanging around here for a while, so please feel free  
13 to approach us if you have some questions.

14 Thank you very much. Good night.

15 (Public meeting concluded at 8:09 p.m.)

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1 STATE OF ILLINOIS )  
2 ) SS  
3 COUNTY OF MACON )

4

5 I, LISA K. HAHN, do hereby certify that I am a  
6 Certified Shorthand Reporter and Notary Public in the  
7 State of Illinois and that I reported in shorthand the  
8 foregoing, taken on the 9th day of June, 2011, and that  
9 the foregoing is a true and correct transcript of my  
10 shorthand notes so taken.

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*Lisa K Hahn*

Notary Public -- CSR, RMR  
Illinois CSR #84-2149

OFFICIAL SEAL  
LISA K HAHN  
Notary Public - State of Illinois  
My Commission Expires Oct 7, 2013

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